



DAN MORALES  
ATTORNEY GENERAL

Office of the Attorney General  
State of Texas

January 7, 1991

Mr. James R. Raup  
McGinnis, Lochridge & Kilgore  
Attorneys for Austin Community College  
1300 Capitol Center  
919 Congress Avenue  
Austin, Texas 78701

OR91-014

Dear Mr. Raup:

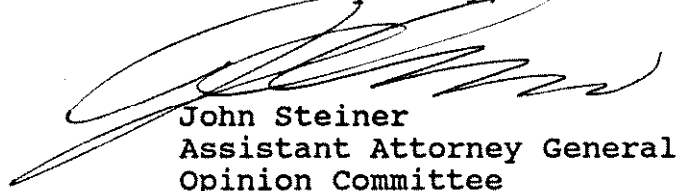
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 9718.

Austin Community College received an open records request for a copy of "the completed Recommendation to Hire form for position number 029006, History Instructor." You contend that this form comes under the protection of section 3(a)(11) of the Open Records Act.

The principles discussed in a previous determination of this office, Open Records Decision No. 439 (1986), a copy of which is enclosed, resolves your request. The information at issue represents only the college administration's "final action" in hiring the history instructor. This information does not consist of the frank and open discussion -- the "give-and-take" -- essential for the decision-making process, see id. at 3; consequently, it does not come within the protection of section 3(a)(11). For this reason, you must release the recommendation form.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR91-014.

Yours very truly,

A handwritten signature in dark ink, appearing to read "John Steiner", is written over a horizontal line.

John Steiner  
Assistant Attorney General  
Opinion Committee

JS/RWP/le  
Ref.: ID# 9718  
Enclosures: Open Records Decision No. 439